

JUN 03 2021

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
DANVILLE DIVISION**JULIA C. DUDLEY, CLERK
BY: s/ H. McDONALD
DEPUTY CLERK**UNITED STATES OF AMERICA**

v.

TYRONE YOUNG,

Defendant.

Case No. 4:18CR00017

OPINIONBy: James P. Jones
United States District Judge*Tyrone Young, Defendant Pro Se.*

The defendant, Tyrone Young, previously filed a Motion to Vacate, Set Aside, or Correct Sentence, pursuant to 28 U.S.C. § 2255, which I denied as untimely. § 2255 Mot., ECF No. 87; Op., ECF No. 109; Order, Mar. 16, 2021, ECF No. 110. Young has now filed a Motion for Leave to Add Additional Ineffective Assistance of Counsel Claims. ECF No. 114. I will treat this motion as a second § 2255 motion and will summarily dismiss it as successive.¹

This court may consider a defendant's second or successive § 2255 motion only upon specific certification from the United States Court of Appeals for the Fourth Circuit that the claims in the motion meet certain criteria. 28 U.S.C. § 2255(h). Because Young offers no indication that he has obtained certification

¹ Under Rule 4 of the Rules Governing § 2255 Proceedings, the court may summarily dismiss a § 2255 motion where it is clear from the motion and the record of prior proceedings that the defendant is not entitled to relief.

from the court of appeals to pursue his current motion as a second or successive § 2255 motion, I must dismiss the motion without prejudice as successive.

A separate Final Order will be entered herewith.

DATED: June 3, 2021

/s/ JAMES P. JONES

United States District Judge